



Attorney Docket No: IQB-0015 (2203.0015C)

PATENT

### DECLARATION AND POWER TO PROSECUTE

As a below named inventor, I hereby declare that:

My residence, mailing address and citizenship are as stated next to my name.

I believe the inventor(s) named below to be the original and first inventor(s) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

#### Recoverable Biometric Identity System and Method

the specification of which:

[ ] is attached hereto;

[X] was filed on December 31, 2003 as United States Application Serial No. 10/748,435 or PCT International Application No. \_\_\_\_\_ and was amended on January 16, 2004 (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 C.F.R. §1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. §119(a)-(d) or (f), or §365(b) of any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or §365(a) of any PCT international application(s) which designated at least one country other than the United States of America listed below, and have also identified below any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or any PCT international application(s) having a filing date before that of the application(s) on which priority is claimed.

#### Prior Foreign Application(s)

APPLICATION NUMBER	COUNTRY	DATE OF FILING (day, month, year)	PRIORITY NOT CLAIMED	CERTIFIED COPY ATTACHED?
			<input type="checkbox"/>	<input type="checkbox"/> YES <input type="checkbox"/> NO
			<input type="checkbox"/>	<input type="checkbox"/> YES <input type="checkbox"/> NO

I hereby claim the benefit under 35 U.S.C. §119(e) of any United States provisional application(s) listed below:

60/470,204  
(Application Number)

14 May 2003  
(Filing Date) (day, month, year)

60/436,996  
(Application Number)

31 December 2002  
(Filing Date) (day, month, year)

I hereby claim the benefit under 35 U.S.C. §120 and/or §365 of any United States application(s) or of any international application(s) designating the United States of America that is/are listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior application(s) in the manner provided by the first paragraph of 35 U.S.C. §112, I acknowledge the duty to disclose to the U.S. Patent and Trademark Office all information known to me to be material to patentability as defined in 37 C.F.R. §1.56 which became available between the filing date(s) of the prior application(s) and the national or PCT international filing date of this application:

Prior U.S. Application(s) or PCT International Applications Designating the U.S. for benefit under 35 U.S.C. §120

U.S. APPLICATIONS		STATUS ( <i>check one</i> )		
U.S. APPLICATION NO.	U.S. FILING DATE (day, month, year)	Pending	Patented	Abandoned
10/748,680	31 December 2003	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
10/748,435	31 December 2003	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
10/748,743	16 January 2004	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
PCT APPLICATIONS DESIGNATING THE U.S.				
PCT APPLICATION NO.	PCT FILING DATE (day, month, year)	U.S. APPLICATION NOS. (if any)		
			<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>

As a named inventor, I hereby appoint the registered practitioners of EDELL, SHAPIRO & FINNAN, LLC included in the Customer Number provided below to prosecute this application and to transact all business in the U.S. Patent and Trademark Office connected therewith; **I further direct that correspondence concerning this application be directed to:**

**EDELL, SHAPIRO & FINNAN, LLC**  
**1901 Research Boulevard, Suite 400**  
**Rockville, MD 20850**  
**Phone: (301) 424-3640**  
**Fax: (301) 762-4056**

**CUSTOMER NUMBER: 27896**

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

**Full name of first inventor:**

**Andrey J. Polcha**

Inventor's signature

Date

Residence: Lovettsville, Virginia

Citizen of: US

Address: 12462 Cabin Spring Lane, Lovettsville, Virginia 20180

**Full name of second inventor:**

**Michael P. Polcha**

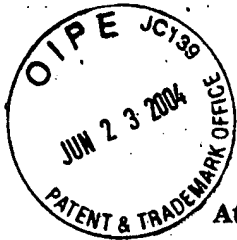
Inventor's signature

Date

Residence: Lovettsville, Virginia

Citizen of: US

Address: 12462 Cabin Spring Lane, Lovettsville, Virginia 20180



Attorney Docket No. IQB-0015 (2203.0015C)

PATENT

Applicant or Patentee: Michael P. Polca, et al.  
Serial No.: 10/748,680 Patent No.:  
Filed: December 31, 2003 Issued:  
For: Recoverable Biometric Identity System and Method

**ASSERTION OF ENTITLEMENT TO SMALL ENTITY STATUS UNDER  
37 C.F.R. §1.27 - INDEPENDENT INVENTOR**

As a below-named inventor, I hereby declare that I qualify as an independent inventor as defined in 37 C.F.R. §1.27(a)(1), for purposes of paying reduced fees under 35 U.S.C. §§41(a) and (b), to the Patent and Trademark Office with regard to the invention entitled and described in:

- ☐ the specification filed herewith;  
☒ the application identified above; or  
☐ the patent identified above;

I have not assigned, granted, conveyed or licensed and am under no obligation under contract or law to assign, grant, convey or license, any rights in the invention to any person who would not qualify as an independent inventor under 37 C.F.R. §1.27(a)(1) if that person had made the invention, or to any concern which would not qualify as a small business concern under 37 C.F.R. §1.27(a)(2) and 13 C.F.R. §121 or a nonprofit organization under 37 C.F.R. §1.27(a)(3);

Each person, concern or organization to which I have assigned, granted, conveyed, or licensed or am under an obligation under contract or law to assign, grant, convey, or license any rights in the invention is listed below<sup>1</sup>:

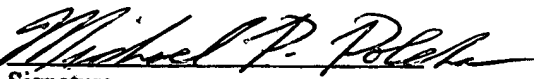
Name:

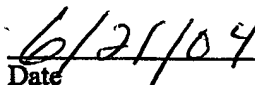
Address:

☒ Individual ☐ Small Business Concern ☐ Non-Profit Organization

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 C.F.R. §1.27(g))

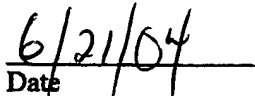
Full Name of Inventor: Michael P. Polcha

  
Signature

  
Date

Full Name of Inventor: Andrew J. Polcha

  
Signature

  
Date

<sup>1</sup> NOTE: Please obtain separate Assertions of Entitlement to Small Entity Status from each named person, concern or organization having rights to the invention averring to their status as small entities.